

# Wetlands Bureau Decision Report

Decisions Taken  
10/20/2008 to 10/26/2008

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2007-00288                      DOVER POINT ROAD 252 LLC**  
**DOVER   Unnamed Wetland**

### Requested Action:

Amend permit to reflect change in mitigation conservation easement acreage and boundaries from one 14.5 acre easement to two easements containing 10.4 and 10.67 acres, respectively, to separate a portion of the property subject to hazardous waste remediation and dam reconstruction and future management from the preservation area to be held by the City of Dover.

Change permit name from Elliott Rose Company to current owners Varney Brook Lands, LLC, 340 Central Ave., Dover, NH, Tax Map/Lot K/19; Thornwood Commons LLC, 42 J Dover Point Rd., Dover, NH 03820, Tax Map/Lot M/4 ; and Dover Point Road 252, LLC, 40 Dover Point Rd., Dover, NH, Tax Map/Lot K-19-2.

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### APPROVE AMENDMENT:

Dredge and fill a total of 22,568 sq. ft. of wetlands and surface waters for construction of road crossing for a combination commercial/residential development, and reconstruction of a breached dam and associated bank stabilization, including the following: Wetland Impact #1: 2,292 sq. ft. for road crossing; Wetland Impact #2: 179 sq. ft. for roadway edge fill; Wetland Impact #3: 3,253 sq. ft. and installation of a 12'high x 3' wide x 65' long open-bottom culvert for construction of a road crossing; Wetland Impact #4: 1,970 sq. ft. and installation of a 12'high x 3' wide x 60' long open-bottom culvert for construction of a road crossing; Wetland Impact #5: 1,296 sq. ft. and installation of a 16'high x 4'wide x 35'long open bottom culvert for construction of a road crossing. Dredge and fill a total of 13, 578 sq. ft. for reconstruction of a breached dam, and associated eroded stream bank stabilization.

AMENDED: Approve as mitigation a conservation easement, to be conveyed to the City of Dover with stewardship by the Dover Conservation Commission, on 10.4 acres of land (50% upland and 50% wetlands) on the permittee's property.

Also acknowledged, but not counted toward mitigation totals, is a second easement on 10.67 acres, to include the hazardous waste remediation area, pond, dam reconstruction and management area, and undeveloped upland/wetland complex on the same property; easement to be held other individuals.

### With Conditions:

1. All work shall be in accordance with revised plans by Trittech Engineering dated 3/19/2008, as received by the Department on 3/24/2008.
2. All work shall be in accordance with the DES Alteration of Terrain Permit as issued on 4/1/2008.
3. All work shall be in accordance with the DES Dam Bureau Permit as issued on 5/30/2008.
4. Future work in wetlands jurisdiction to remediate hazardous waste present on the site shall be coordinated with the DES Waste Management Division, and processed under separate cover by the DES Wetlands Bureau.
5. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
6. AMENDED: Record revised conservation easement plans entitled "Wetland Mitigation Plan, Thornwood Commons", sheet DF-2A, and sheet DF-1 entitled "Application Plan, Thornwood Commons", by Trittech Engineering dated 9/23/2008, as received by DES on 10/6/2008, for each appropriate lot no later than December 1, 2008, and submit a certified receipt from the Strafford County Registry of Deeds to the DES Wetlands Bureau.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.
9. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
10. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit

and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
14. Silt fencing must be removed once the area is stabilized.
15. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
16. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
17. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
18. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Proper headwalls shall be constructed within seven days of culvert installation.
25. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
26. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
27. Work shall be done during low flow.

Wetland preservation:

28. AMENDED: This permit is contingent upon the execution of a conservation easement, as depicted on revised easement plans by Trittech Engineering dated 9/23/2008, received by DES on 10/6/2008, to be conveyed to the City of Dover with stewardship by the Dover Conservation Commission, on 10.4 acres of land (50% upland and 50% wetlands) on the permittee's property. Also acknowledged, but not counted toward mitigation totals, is a second easement on 10.67 acres, to include the hazardous waste remediation area, pond, dam reconstruction and management area, and undeveloped upland/wetland complex on the same property; easement to be held other individuals.
29. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
30. AMENDED: The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau no later than December 1, 2008.
31. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
32. AMENDED: The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] no later than December 1, 2008.

33. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
34. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
35. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. The purpose of the requested amendment is to reflect a change in mitigation conservation easement acreage and boundaries from one 14.5 acre easement to two easements containing 10.4 and 10.67 acres, respectively, to separate a portion of the property subject to hazardous waste remediation and dam reconstruction and future management from the preservation area to be held by the City of Dover.
2. The 10.4 acre easement to be conveyed to the City of Dover meets the ratios required under Chapter 800 for adequate mitigation of unavoidable impacts.
3. The additional 10.67 acres, to be held as a separate easement by other parties, is acknowledged by DES but not counted toward the overall mitigation total.
4. No additional wetland impacts are proposed as part of this amendment.

**2008-00773                      KILNWOOD ON KANASATKA, C/O MARK WHARY  
MOULTONBOROUGH   Lake Kanasatka**

Requested Action:

Modify an existing nonconforming seasonal docking facility by adding two 4 ft x 24 ft finger docks off of two 4 ft x 17 ft walkways on 985 ft of frontage in Moultonborough on Lake Kanasatka.

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Inspection Date: 07/18/2008 by Chris T Brison

DENY PERMIT:

Modify an existing nonconforming seasonal docking facility by adding two 4 ft x 24 ft finger docks off of two 4 ft x 17 ft walkways on 985 ft of frontage in Moultonborough on Lake Kanasatka.

With Findings:

Standards for Approval:

1. In accordance with RSA 482-A:3, "No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department."
2. Pursuant to RSA 482-A:3, XIV(b), if additional information requested to complete an application is not received by DES within 120 days of the request, DES shall deny the application.
3. In accordance with Rule Env-Wt 303.02(d), construction or modification of a major docking system defined by Env-Wt 101.53 is classified as a Major impact project.
4. Pursuant to Rule Env-Wt 101.53 "Major docking system" means a large and complex docking facility that requires utilization of more than 100 ft of waterfront or provides a total of 5 or more boat slips, including those previously existing and proposed.
5. Pursuant to Rule Env-Wt 302.04, (a)(2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
6. Pursuant to Rule Env-Wt 302.04, (a)(1) The applicant shall demonstrate by plan and example that there is a supported need for the proposed impact.
7. Pursuant to Rule Env-Wt 402.20, The Department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.

8. Pursuant to Rule Env-Wt 501.02(2)(g) Additional Data. Plans must show all existing and proposed structures and all other relevant features necessary to clearly define the project.
9. Pursuant to RSA 482-A:11, II. "No permit for dredge or fill shall be granted if it shall infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners.

Findings of Fact:

1. On May 12, 2008, the Wetlands Bureau received an application to expand an existing 12 boatslip nonconforming seasonal docking facility to a 16 boatslip seasonal docking facility by adding two 4 ft x 20 ft seasonal finger piers on property identified as Moultonborough Tax Map 106, Lot 16 (the Property).
2. On August 14, 2008 the Wetlands Bureau received a copy of a Superior Court Stipulation identified as No. 5068 from the March term of 1973 (the "Stipulation") specifically states that the docking system shall consist of three 30 ft long finger piers.
3. The Department reviewed this Superior Court Stipulation and has determined that the existing docking system already exceeds the limiting criteria.
4. The Bureau previously permitted the existing structure, Wetlands File# 1996-941, without proper authorization and release by the primary court stipulation petitioner.
5. On May 5, 2008, the primary court stipulation petitioner objected to the further expansion of the existing nonconforming docking facility that already exceeds the Stipulation.
6. On August 27, 2008 the Department required a signed consent from the primary court stipulation petitioner stating that they release their property right and had no objection to the proposed expansion to the existing nonconforming docking facility.
7. On October 20, 2008 the Department received an incomplete response to the requested information, pursuant to RSA 482-A:3 XIV.(b).
8. The October 20, 2008 response contests that since the primary court stipulation petitioner did not object to the expansion as approved pursuant to File # 1996-941, that this abutter has no rights to object this proposed expansion with the use of the existing 1973 Stipulation.

Ruling in support of the Decision:

1. The applicant did not provide signed consent from the primary court stipulation petitioner, allowing the major docking facility expansion well beyond the limits as stipulated.
2. The Applicant has failed to submit the information requested, and therefore, the application is denied.
3. The Bureau has received written objection to the expansion from the primary court stipulation petitioner, therefore, the project cannot be permitted per RSA 482-A:11, II.

**2008-01628                      PSNH**  
**ROCHESTER   Unnamed Wetland**

Requested Action:

Temporarily impact 3,195 sq. ft. of wetlands to install swamp mats for temporary access within ROW to perform maintenance of switching equipment.

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APPROVE PERMIT:

Temporarily impact 3,195 sq. ft. of wetlands to install swamp mats for temporary access within ROW to perform maintenance of switching equipment.

With Conditions:

1. All work shall be in accordance with plans by William T. Wormell dated 10/20/2008, as received by DES on 10/20/2008.
2. Work shall be carried out after the growing season to minimize impacts to plant species of concern, as requested by the NH Natural Heritage Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Siltation/erosion/turbidity controls, as appropriate in conjunction with the use of access mats, and appropriate to the nature and the extent of the disturbance, shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Mats shall be removed immediately upon completion of work and area returned to its original pre-work event condition.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), projects in a wetland that have been identified by the NH Natural Heritage Inventory (NH NHB) as having occurrences of state or federally listed Endangered or Threatened species.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary to provide scheduled maintenance to public utility lines.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Impacts will be temporary associated with placement of mats. The work will be done during the least impacting time of year, as directed by the NH NHB, in order to avoid impact to the inflated sedge (*Carex bullata*).
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project. Other plant species of concern reported by the NH NHB as occurring in the project vicinity, do not occur at this project site.
5. The Rochester Conservation Commission did not report on this application.

**MINOR IMPACT PROJECT**

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**2003-02681                      SHELL VACATIONS LLC**  
**FRANCESTOWN   Irrigation Pond**

Requested Action:

Approve name change to: Shell Vacations, LLC, 40 Skobie Blvd, Suite 350, Northbrook IL 60062 per request received 10/16/08.

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Conservation Commission/Staff Comments:

No comments submitted by the Conservation Commission as of February 4, 2004.

DES Dam Bureau tentatively approved the dam reconstruction permit on January 5, 2004. The dam permit is further contingent on obtaining a wetlands permit prior to release of the dam permit.

APPROVE NAME CHANGE:

Reconstruction and upgrades to be conducted on an existing Dam identified as the Irrigation Pond Dam #085.18 in Francestown. Work to include 7,210 square feet of temporary impacts for direct repairs to the upstream side of the dam, 130 square feet of temporary impacts downstream and 2,160 of palustrine forested wetlands and 100 linear feet of a seasonal drainage will be dredged for construction of an emergency spillway.

With Conditions:

1. All work shall be in accordance with plans by H.L. Turner Group, Inc. dated November 11, 2003, as received by the Department on December 4, 2003.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on review by the DES Wetlands Bureau, of final diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant shall notify the NHDES Wetlands Bureau and the Francestown Conservation Commission in writing no less than five (5) days prior to the commencement of construction.

5. Work shall be done during drawdown.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2006-02733                      ARISTA DEVELOPMENT LLC**

**LEE    Unnamed Wetland**

Requested Action:

Dredge and fill approximately 15,100 square feet of wetlands on Lee Tax Map 4, Lot 7-2 (referred to as Phase I) and approximately 8,890 square feet of wetlands on Lee Tax Map 4, Lot 7-5 (referred to as Phase II) for the construction of a retail store during Phase I and a service interconnection during Phase II.

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APPROVE AMENDMENT:

Dredge and fill approximately 15,100 square feet of wetlands on Lee Tax Map 4, Lot 7-2 (referred to as Phase I) and approximately 8,890 square feet of wetlands on Lee Tax Map 4, Lot 7-5 (referred to as Phase II) for the construction of a retail store during Phase I and a service interconnection during Phase II.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated November 11, 2005 and 9-8-08, and as received by DES on October 16, 2006 and October 10, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This approval is contingent on approval by the DES Alteration of Terrain Program.
4. This approval is contingent on receipt by DES of a one time payment of \$64,374.50 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
5. The applicant shall be required to begin construction of the Phase II service inter connection within two years of the completion of the Phase I retail site.
6. The service interconnection shall be designed so that all lots currently fronting on NH Route 125 will have direct access to the service interconnection.
7. Lots identified as Map 4-7-2, Map 4-7-5, and Map 4-6-4 currently have legal access to NH Route 125. No future subdivided portions of these lots will be permitted direct access to NH Route 125.
8. The entire service interconnection and retail site shall be constructed so as to prevent any untreated runoff from entering the wetlands.
9. Salt shall not be used as a deicing agent on the service interconnection or retail site.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

11. The deed which accompanies the sales transaction for any additional lots along the service interconnection shall contain condition #7 of this approval.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
14. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
15. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
16. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. Silt fencing must be removed once the area is stabilized.
21. Work shall be done during low flow conditions.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of more than 20,000 square feet of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine wetlands, as identified under RSA 482-A:1.
6. The applicant has reviewed on-site options for mitigation and was unable to identify any restoration opportunities or conservation parcels with a willing easement holder and therefore the department has determined that this project is acceptable for payment into the Aquatic Resource Mitigation (ARM) Fund.
7. The payment calculated for the proposed wetland loss equals \$64,374.50.
8. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
9. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls - Piscataqua River watershed per RSA 482-A:29.
10. Inform the owner that further appeal of this decision is to the New Hampshire Wetlands Council.
11. The permit has been conditioned so as to address the concerns of the Lee Conservation Commission by requiring treatment of runoff prior to introduction to the wetlands and prohibiting the use of salt as a deicing agent.
12. The requirement to build the service interconnection addresses the comments from the regional planning commission.
13. The applicant has received a driveway access permit from NHDOT for access to both NH Route 125 and NH Route 4.
14. The Lee Chief of Police, the Lee Fire Chief, and the Lee Board of Selectmen have all sent letters to DES supporting access from NH Route 4 for emergency response and safety concerns.

Requested Action:

Dredge and fill approximately 15,100 square feet of wetlands on Lee Tax Map 4, Lot 7-2 (referred to as Phase I) and approximately 8,890 square feet of wetlands on Lee Tax Map 4, Lot 7-5 (referred to as Phase II) for the construction of a retail store during Phase I and a public access road during Phase II.

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APPROVE RECONSIDERATION:

Dredge and fill approximately 15,100 square feet of wetlands on Lee Tax Map 4, Lot 7-2 (referred to as Phase I) and approximately 8,890 square feet of wetlands on Lee Tax Map 4, Lot 7-5 (referred to as Phase II) for the construction of a retail store during Phase I and a public access road during Phase II.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated November 11, 2005 and 9-8-08, and as received by DES on October 16, 2006 and October 10, 2008.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This approval is contingent on approval by the DES Alteration of Terrain Program.
4. This approval is contingent on receipt by DES of a one time payment of \$64,374.50 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
5. The applicant shall be required to begin construction of the Phase II connector road within two years of the completion of the Phase I retail site.
6. The connector road shall be designed so that all lots currently fronting on NH Route 125 will have direct access to the connector road.
7. The development of any additional lots along NH Route 125 will be allowed access via the connector road only and not from NH Route 125.
8. The entire access road and retail site shall be constructed so as to prevent any untreated runoff from entering the wetlands.
9. Salt shall not be used as a deicing agent on the connector road or retail site.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
11. The deed which accompanies the sales transaction for any additional lots along the connector road shall contain condition #7 of this approval.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
14. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
15. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
16. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
17. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. Silt fencing must be removed once the area is stabilized.
21. Work shall be done during low flow conditions.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of more than 20,000 square feet of wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine wetlands, as identified under RSA 482-A:1.

6. The applicant has reviewed on-site options for mitigation and was unable to identify any restoration opportunities or conservation parcels with a willing easement holder and therefore the department has determined that this project is acceptable for payment into the Aquatic Resource Mitigation (ARM) Fund.

7. The payment calculated for the proposed wetland loss equals \$64,374.50.

8. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

9. The payment into the ARM fund shall be deposited in the DES fund for the Salmon Falls - Piscataqua River watershed per RSA 482-A:29.

10. Inform the owner that further appeal of this decision is to the New Hampshire Wetlands Council.

11. The permit has been conditioned so as to address the concerns of the Lee Conservation Commission by requiring treatment of runoff prior to introduction to the wetlands and prohibiting the use of salt as a deicing agent.

12. The requirement to build the connector road addresses the comments from the regional planning commission.

13. The applicant has received a driveway access permit from NHDOT for access to both NH Route 125 and NH Route 4.

14. The Lee Chief of Police, the Lee Fire Chief, and the Lee Board of Selectmen have all sent letters to DES supporting access from NH Route 4 for response and safety concerns.

**2007-02417                      CAREY, CHARLES & WENDY**  
**NEW LONDON   Lake Sunapee**

**Requested Action:**

Applicant requests that the permit be amended to relocate 1 proposed ice cluster.

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**APPROVE AMENDMENT:**

Amend permit to read: Remove an existing 6 ft x 40 ft seasonal pier and construct two 6 ft x 30 ft piling piers connected by a 6 ft x 11 ft walkway, drive pilings to support 2 permanent boatlifts, drive two 3 piling ice clusters, install a 30 ft x 30 ft seasonal canopy, and two seasonal personal watercraft lifts on an average of 187 ft of frontage on Lake Sunapee, in New London.

**With Conditions:**

1. All work shall be in accordance with revised plans by Watermark Marine Construction received by DES on October 17, 2008 with the exception that no piling shall be driven for the sole purpose of supporting the seasonal canopy.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

3. This permit shall not be effective until it has been recorded with the Sullivan County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

5. All seasonal structures shall be removed from the lake for the non-boating season.

6. No portion of the piers or canopy shall extend more than 30 feet from the shoreline at full lake elevation.

7. Canopies shall be of seasonal construction with a flexible fabric cover and shall be removed for the non-boating season.

8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent, 3 slip docking facility.

2. The Applicant submitted plans with the Request for Reconsideration to address the deficiencies which had resulted in the Department's earlier decision to deny the project.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The applicant has an average of 187 feet of shoreline frontage along Lake Sunapee.
7. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
9. In accordance with Rule Env-Wt 101.14, a canopy is a seasonal open structure with a flexible fabric roof.
10. In accordance with Rule Env-Wt 101.79, a seasonal structure is a structure, including its supports, which is designed to be removed from the water during the non-boating season.
11. Pilings are not a structural support which is designed to be removed during the non-boating season and, therefore, cannot be approved for the sole purpose of supporting a seasonal canopy.

**2008-00705                      NADEAU, ROBERT**  
**PLYMOUTH   Unnamed Stream Loon Lake**

**Requested Action:**

Dredge and fill a total of 50 square feet to replace an existing failed culvert with twin 30-inch x 75 foot culverts and construct a plunge pool prior to discharge into Loon Lake.

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**APPROVE PERMIT:**

Dredge and fill a total of 50 square feet to replace an existing failed culvert with twin 30-inch x 75 foot culverts and construct a plunge pool prior to discharge into Loon Lake.

**With Conditions:**

1. All work shall be in accordance with plans by Neil McIver dated April 1, 2008 and revised through September 26, 2008, as received by the Department on September 26, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The existing culvert under the structure has rotted out and is in failure.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has realigned the culvert so the length is shorter.
5. The applicant has provided a small pool to collect sediment prior to entering Loon lake.

6. The proposed culvert will meet all septic setbacks.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
9. The applicant has provided documentation that the abutter is in agreement with impacts within 20 feet of the property line.
10. The applicant has provided plantings along the eastern property line where there are currently none.

**2008-01102                      FULLER, SCOTT**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Construct a permanent U-shaped docking facility consisting of two 6 ft x 30 ft permanent piling docks connected by a 6 ft x 12 ft permanent walkway with 2 tie off piles in the most easterly boatslip and two tie off piles in the most westerly boatslip and two ice clusters on 269 ft of frontage in Moultonborough on Lake Winnepesaukee.

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APPROVE PERMIT:

Construct a permanent U-shaped docking facility consisting of two 6 ft x 30 ft permanent piling docks connected by a 6 ft x 12 ft permanent walkway with 2 tie off piles in the most easterly boatslip and two tie off piles in the most westerly boatslip and two ice clusters on 269 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with proposed dock dimensioned and dock support descriptive plans by William J. McNair as received by DES on October 21, 2008.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work authorized shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
6. This permit does not allow for maintenance dredging and/or the removal of any navigational hazards.
7. Unnecessary removal of vegetation shall be prohibited.
8. Where needed, a single set of dock access stairs no wider than 6 ft, shall be constructed over the bank, not requiring change of grade and/or change of the banks existing contours.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
10. This permit does not authorize beach replenishment.
11. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and local Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
12. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a minor impact docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the

department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01113                      LEIGHTON ESTATES ASSOCIATION, ED OGIBA  
SANBORNTON   Lake Winnisquam**

**Requested Action:**

Reconstruct an existing 28 ft wide perched beach retaining wall, add 20 cubic yards of sand, and 6 ft wide access stairs to the lake on an average of 100 ft of frontage on Lake Winnisquam, in Sanbornton.

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**Conservation Commission/Staff Comments:**

Con Com has not submitted comments by August 26, 2008

**APPROVE PERMIT:**

Reconstruct an existing 28 ft wide perched beach retaining wall, add 20 cubic yards of sand, and 6 ft wide access stairs to the lake on an average of 100 ft of frontage on Lake Winnisquam, in Sanbornton.

**With Conditions:**

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated October 22, 2008, as received by DES on October 22, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 482.35). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f), replenishment of a beach that uses more than 10 cubic yards of sand, but not more than 20 cubic yards.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

## MINIMUM IMPACT PROJECT

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**2008-00502                      KORAVOS, DEAN**  
**HAMPTON   Atlantic Ocean**

### Requested Action:

Perform construction activities within the previously developed upland tidal buffer zone totaling 3,831 sq. ft. (2,776 sq. ft. permanent impacts; 1,055 temporary impacts) to remove the existing building and construct a new residence with appurtenant landscaping on this oceanfront lot.

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### Conservation Commission/Staff Comments:

The Hampton Conservation Commission did not sign the minimum impact expedited application due to concerns about the location of the highest observable tideline. After field inspection by DES staff, the HOTL was relocated landward of the original location.

Inspection Date: 05/16/2008 by Frank D Richardson

### APPROVE PERMIT:

Perform construction activities within the previously developed upland tidal buffer zone totaling 3,831 sq. ft. (2,776 sq. ft. permanent impacts; 1,055 temporary impacts) to remove the existing building and construct a new residence with appurtenant landscaping on this oceanfront lot.

### With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. Environmental Consultants dated 12/07 (last revised 8/25/08), as received by DES on August 28, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of areas within NH DES wetlands jurisdiction for lot development or for other construction activities.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tideline unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03 respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 16, 2008. Field inspection determined the highest observable tide line as shown on the plan submitted with the application was incorrectly delineated.
6. NHSC, Inc. relocated the HOTL to the base of the rip-rap revetment along this shoreline according to DES staff recommendations.
7. NHSC, Inc. reports that the existing impervious surface within the 100 foot tidal buffer zone is 2,748 sq. ft. and that the proposed impervious surface within the 100 foot tidal buffer zone will be 1,836 sq. ft. resulting in a reduction of 912 sq. ft. or 33% less impervious surface within 100 feet of the highest observable tideline.
8. Approval of this permit is contingent upon compliance with the requirements of the Comprehensive Shoreland Protection Act, NH RSA 483-B.

**2008-01059                      GRANTHAM, TOWN OF**  
**GRANTHAM   Unnamed Stream**

**Requested Action:**

Dredge and fill approximately 2,240 sq. ft. of wetlands for construction of an access road around a proposed 14,500 sq. ft. of interior space addition at the existing Grantham Village School and to provide access to adjacent uplands on the school site. Work in wetlands consists of 2,054 sq. ft. of impact for side slope grading and filling for a new access road around the school addition and 186 sq. ft. of wetlands and associated intermittent stream impact for installation of wetlands crossing containing a 24 in. x 30 ft. HDPE culvert.

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**APPROVE PERMIT:**

Dredge and fill approximately 2,240 sq. ft. of wetlands for construction of an access road around a proposed 14,500 sq. ft. of interior space addition at the existing Grantham Village School and to provide access to adjacent uplands on the school site. Work in wetlands consists of 2,054 sq. ft. of impact for side slope grading and filling for a new access road around the school addition and 186 sq. ft. of wetlands and associated intermittent stream impact for installation of wetlands crossing containing a 24 in. x 30 ft. HDPE culvert.

**With Conditions:**

1. All work shall be in accordance with plans by The H.L Turner Group Inc., plan sheets SH 1 through SH 4, dated May 25, 2008 and plan sheets C8.0 through C8.3, dated July 25, 2008, as received by DES on September 26, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent approval by the DES Shoreland Program.
4. Work in wetlands shall be done during low flow and work in the proposed intermittent stream crossing shall be conducted during no flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands, surface waters and banks of surface waters.
6. There shall be no storage of snow in adjacent wetlands.
7. All project curbing shall consists of a gentle slope bituminous Cape Cod curbing.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired

immediately.

19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant and Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. See No 15 on June 17, 2008 submission. The project requires addition to provide for eight public school classrooms. The placement of a culvert at the northeast end of the parking area will provide access to a large upland area within the lot boundaries for future town needs. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. See item No. 16 on application submitted on June 17, 2008. "the design of the school addition was placed to avoid infringement on the 50 foot setback required for a fourth order stream. Alternative site locations investigated were too costly and involved additional permits and involved impacts to additional resources. Addition to an existing school building was considered the least damaging alternative than constructing a new school on new location.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Ms. McIntire's letter dated October 21, 2008 identified 7 concerns: 1) snow placement in wetlands; 2) Fill in floodplain; 3) Effects of the removal of incompetent soil; 4) Local setback issue; 5) The cost to maintain the fill structure; 6) Public notification at local level; 7) Alternatives not explored.
6. Item # 1 was addressed as a condition of this permit no snow placed in wetlands.
7. Item # 2 Potential impacts to flood storage within the 100 year floodplain were reviewed and addressed through the DES Alteration of Terrain program.
8. Item # 3 is not a subject of this application.
9. Item # 4, 5 and 6 are local issues and not subject to the review of NHDES.
10. Item # 7 has been addressed through this wetlands process by the applicant and their agents (see finding # 3 above).
11. The issues raised regarding the proposed bridge raised in an e-mail from the McIntires dated October 22, 1008 are the subject to a separate wetlands application.
12. The New Hampshire Fish & Game Department, Nongame and Endangered Wildlife Program (NHFG), provided comments regarding the wood turtle (*Clemmys insculpta*) a species of special conservation concern in NH. NHFG is concerned with vertical curbing that hinders movement, which increases amphibian, snake and turtle exposure time to vehicles, collection and causes entrapment in catch basins. NHFG suggested the use of swales over catch basins except when combined with road crossing underpasses. If curbing was required they recommended installation of gentle sloped curbing such as Cape Cod curbing. NHFG provided additional comments to the applicant suggesting that Cape Cod Curbing instead of straight granite curbing will reduce the probability of impacts to wood turtles.
13. The applicant has agreed to use gentle slope bituminous Cape Cod curbing for the project.
14. This permit is contingent on the use of gentle slope bituminous Cape Cod curbing.

**2008-01900                      CARPENTER REVOC INV TRUST, C/O RALIEGH CARPENTER**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

In kind repair of an existing permanent dock consisting of a 4 ft x 9 ft walkway accessing a 14 ft x 17 ft dock with a 4 ft x 20 ft dock at the lakeward end on an average of 100 ft of frontage on Lake Winnepesaukee, Moultonborough.

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Conservation Commission/Staff Comments:

No Con Com comments by 10/24/08

APPROVE AFTER THE FACT:

In kind repair of an existing permanent dock consisting of a 4 ft x 9 ft walkway accessing a 14 ft x 17 ft dock with a 4 ft x 20 ft dock at the lakeward end on an average of 100 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Raleigh Carpenter dated July 31, 2008, as received by DES on September 11, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

FORESTRY NOTIFICATION

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**2008-02226                      BIKLEN, STEVEN**  
**DUBLIN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dublin Tax Map 4, Lot# 43

**2008-02227                      KOIVULA REVOC TRUST, IVER**  
**NEW IPSWICH   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Ipswich Tax Map 6, Lot# 15

**2008-02278                      ANDERSON, MARK**  
**HOPKINTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hopkinton Tax Map 224, Lot# 42

**2008-02279                      CHARRON REVOC TRUST DATED SEPTEMBER 17 2003, HELEN**  
**PITTSFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsfield Tax Map/Lot#: R42/1,8 & R49/19-1,19-2,19-3

**2008-02280                      WISNIEWSKI, ROBERT & JANET**  
**MILFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Milford Tax Map 65, Lot# 10-3

**2008-02282                      NEW ENGLAND FORESTRY FOUNDATION**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax MAP R13, Lot# 27A

**2008-02284                      LAMBERT, MARY LOU**  
**STRAFFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Strafford Tax Map 12, Lot# 44,44-1,44-6,44-8

**2008-02286                      BACON, DAVID & LAURIE**  
**STRATFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Stratford Tax Map R15, Lot# 6, 7, 8

**2008-02288                      HALL, MURIEL**  
**DUBLIN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Dublin Tax Map 17, Lot# 2

**EXPEDITED MINIMUM**

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**2007-01438                      RILEY, LINDA**  
**MEREDITH   Winnisquam Lake**

**Requested Action:**

Install a 6 ft x 20 ft seasonal dock attached to a 6 ft x 10 ft seasonal dock in a "L" shaped configuration on an average of 100 ft of frontage on Lake Winnisquam, Meredith.

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**Conservation Commission/Staff Comments:**

Con Com has no concerns with dock, question floating swim raft

**APPROVE PERMIT:**

Install a 6 ft x 20 ft seasonal dock attached to a 6 ft x 10 ft seasonal dock in a "L" shaped configuration on an average of 100 ft of frontage on Lake Winnisquam, Meredith.

**With Conditions:**

1. All work shall be in accordance with plans as received by DES on June 28, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 26 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction or modification of a seasonal dock.
2. The applicant has an average of 100 feet of shoreline frontage along Lake Winnisquam.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2007-01515                      SHRIBCO REALTY TWO LLC**  
**KINGSTON   Unnamed Wetland Powwow Pond**

**Requested Action:**

Approve name change to: Shibco Realty Two LLC, 26 Lynde Street, Salem MA 01970 per request received 10/20/08.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Kingston Conservation Commission signed the Minimum Impact Expedited Application.

**APPROVE NAME CHANGE:**

Dredge and fill 1,650 square feet of forested wetland for the construction of a roadway and installation of a 15-inch culvert which riprap outlet protection for a 18-unit residential cluster development on 60.7 acres.

With Conditions:

1. All work shall be in accordance with plans by Gregsak Engineering, Inc. dated April 15, 2004 and revised through January 26, 2007, as received by DES on July 10, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
7. Work shall be done during seasonal low flow conditions.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2008-00142                      KENNEDY, MARGARET**  
**SANBORNVILLE   Lovell Lake**

Requested Action:

Install a 4 ft x 24 ft seasonal dock on an average of 73 ft of frontage on Lovell Lake, Wakefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 4 ft x 24 ft seasonal dock on an average of 73 ft of frontage on Lovell Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on January 30, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property

lines or the imaginary extension of those lines into the water.

5. Seasonal pier shall be removed from the lake for the non-boating season.

6. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.

7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.

**2008-01717                      STEVENS, STANLEY**  
**CANTERBURY   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 1700 square feet including installation of two culverts for access to a proposed single family residence.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill a total of 1700 square feet including installation of two culverts for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by J E Belanger Land Surveying dated October 1, 2008, as received by the Department on October 2, 2008.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

4. Work shall be done during periods of non-flow.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01783                      BAKON, CLARE**  
**SUNAPEE   Ledge Pond**

Requested Action:

Repair an existing 9 ft x 12 ft dock supported by an 8 ft x 8 ft crib accessed by a 4 ft x 20 ft dock supported by a 4 ft x 4 ft crib on an average of 312 ft of frontage on Ledge Pond, in Sunapee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 9 ft x 12 ft dock supported by an 8 ft x 8 ft crib accessed by a 4 ft x 20 ft dock supported by a 4 ft x 4 ft crib on an average of 312 ft of frontage on Ledge Pond, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans as received by DES on September 4, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2008-01999                      LAKES REGION GOLF COURSES INC**  
**GILFORD   Jewett Brook**

Requested Action:

Fill 3000 square feet of palustrine forested wetland associated with Jewett Brook to contain contamination associated with a former tar pond.

\*\*\*\*\*

APPROVE PERMIT:

Fill 3000 square feet of palustrine forested wetland associated with Jewett Brook to contain contamination associated with a former tar pond.

With Conditions:

1. All work shall be in accordance with plans by GEI dated August 2008, as received by the Department on September 19, 2008 and the narrative to Michael McCluskey dated September 4, 2008 as received September 19, 2008 and the narrative to Jocelyn Degler dated September 22, 2008 as received September 25, 2008.
2. This permit is contingent on approval by the DES Waste Management Division.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f); Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-02033                      LANES END INC**  
**TUFTONBORO   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 210 square feet to replace an existing 15-inch x 31-foot culvert with a 24-inch x 31-foot culvert for access.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill a total of 210 square feet to replace an existing 15-inch x 31-foot culvert with a 24-inch x 31-foot culvert for access.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated September 16, 2008, as received by the Department on September 25, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Work shall be done in the dry during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. All work shall be done from the top of the bank.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o); Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application does not meet Env-Wt 303.04(x), as the structure is increasing in diameter to improve flows through the area. However, the culvert is maintaining the same length and there are no anticipated impacts to the resource as a result of increasing the diameter of the culvert.

**2008-02161                      HAMPSTEAD AREA WATER COMPANY INC**  
**ATKINSON   Unnamed Stream**

Requested Action:

Temporarily impact 45 square feet within the bed and banks of a perennial stream for the installation of a temporary weir to measure the stream flow for a water supply pumping test.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Atkinson Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 45 square feet within the bed and banks of a perennial stream for the installation of a temporary weir to measure the stream flow for a water supply pumping test.

With Conditions:

1. All work shall be in accordance with plans and construction sequence by Hampstead Area Water Company, Inc. dated September 10, 2008, as received by DES on October 9, 2008.
2. This permit is contingent on approval by the NHDES Drinking Water Source Protection Program.
3. There shall be no further alteration of wetlands outside the scope of this approval.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Temporary impacts within the bed and banks of the stream shall be restored to their pre-construction conditions.
6. A post-construction report documenting status of stream restoration shall be submitted to the Wetlands Bureau within 30-days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The temporary impacts are necessary to perform a water supply pumping test pursuant to Env-Dw 302 rules of the NH DES Drinking Water Source Protection Program, therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts within the stream are temporary in nature and will be restored following the completion of the test, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

## TRAILS NOTIFICATION

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**2008-02222                      TUPPER, CHARLES**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 211, Lot# 21

**2008-02223                      WAGNER FOREST MANAGEMENT**  
**ERROL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Errol Tax Map R4, Lot# 5

## ROADWAY MAINTENANCE NOTIF

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**2008-02266                      NH DOT/ BUREAU OF RAIL AND TRANSIT, BRIAN LOMBARD**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Repair and replace rock wall 35 foot long

**2008-02267                      NORTH HAMPTON, TOWN OF**  
**NORTH HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace existing 30" CMP and headwalls

**2008-02268                      NH DEPT OF TRANSPORTATION**  
**ANDOVER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace existing 30" steel pipe with 30" plastic pipe

**PERMIT BY NOTIFICATION**

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**2008-02053                      TUI TE, JOHN & MARSHA**  
**LITTLETON   Unnamed Stream**

**Requested Action:**

Proposal for installation of a 18 in. x 30 ft. plastic culvert for construction of wetlands crossing for a driveway to a proposed single family building lot.

\*\*\*\*\*

**PBN IS COMPLETE:**

Dredge and fill approximately 2,000 sq. ft. of wetlands for installation of a 15 in. x 30 ft. plastic culvert for construction of wetlands crossing for a driveway to a proposed single family building lot.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.

**2008-02183                      TIDEWATCH CONDO. ASSOC.**  
**PORTSMOUTH   Unnamed Wetland**

**Requested Action:**

Maintenance dredge of a ditch and install approximately 100 linear feet of rip rap in a tributary to the high water mark of Sagamore Creek.

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**PBN DISQUALIFIED:**

Maintenance dredge of a ditch and install approximately 100 linear feet of rip rap in a tributary to the high water mark of Sagamore Creek.

**With Findings:**

1. Installation of rip rap in a tributary to a tidal resource exceeds the criteria for permit by notification relative to maintenance dredging of a man-made ditch, as pursuant to Administrative Rule Env-Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter any bank, flat, wetland, surface water or undeveloped upland are classified as Major projects.

**2008-02237                      PAPROCKI, DAVID**  
**CANDIA   Unnamed Wetland**

**Requested Action:**

Applicant requests to fill 2,984 square feet of palustrine forested wetland for lot development.

\*\*\*\*\*

**PBN DISQUALIFIED:**

Applicant requests to fill 2,984 square feet of palustrine forested wetland for lot development.

**With Findings:**

1. This particular PBN project type is solely for the installation of a culvert, bridge, pole, or rock ford and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses and not for the purpose of filling for lot development.

**2008-02239                      DUNN, DANIEL**  
**BELMONT   Unnamed Wetland**

Requested Action:

Dredge 375 square feet of man made stormwater detention structure.

\*\*\*\*\*

PBN IS COMPLETE:

Dredge 375 square feet of man made stormwater detention structure.

**2008-02240                      HAMILTON, JOHN/LESLIE**  
**GILMANTON   Unnamed Wetland**

Requested Action:

Dredge and fill 1206 square feet for installation of a 15 foot x 12 foot bridge over an intermittent stream for access to a proposed single family home site.

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PBN IS COMPLETE:

Dredge and fill 1206 square feet for installation of a 15 foot x 12 foot bridge over an intermittent stream for access to a proposed single family home site.

**CSPA PERMIT**

\*\*\*\*\*

**2008-01620                      DORR, FREDERIC & JOAN**  
**NORTHWOOD   Lucas Pond**

Requested Action:

Impact 8100 sq ft to raze an existing nonconforming primary structure and construct a conforming primary structure.

\*\*\*\*\*

APPROVE PERMIT:

Impact 8100 sq ft to raze an existing nonconforming primary structure and construct a conforming primary structure.

With Conditions:

1. All work shall be in accordance with plans by Frederic and Joan Dorr received by the Department of Environmental Services ("DES") on September 24, 2008.
2. No more than 20.16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,225 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,587.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-01647                      NELSON FAMILY TRUST, ROBERT & PATRICIA TRSTEE**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Impact 1,791 sq ft to replace an existing septic system to accomodate an increase in bedrooms in the existing single family dwelling.  
\*\*\*\*\*

APPROVE PERMIT:

Impact 1,791 sq ft to replace an existing septic system to accomodate an increase in bedrooms in the existing single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated July, 2008 and received by the Department of Environmental Services ("DES") on August 13, 2008.
2. No more than 23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 12,834 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25% of existing unaltered area witin the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-01662                      MURPHY, THOMAS/JEAN**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 200 sq ft to install a frost wall under an existing sunroom.  
\*\*\*\*\*

APPROVE PERMIT:

Impact 200 sq ft to install a frost wall under an existing sunroom.

With Conditions:

1. All work shall be in accordance with plans by Bill Schwaner dated received by the Department of Environmental Services ("DES") on August 15, 2008.
2. There shall be no increase impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no unaltered areas within the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01664                      PATJOY REALTY TRUST U/D/T, JOYCE MAILLET TRUSTEE**  
**TILTON   Winnisquam Lake**

Requested Action:

Impact 5,700 sq ft to remove an existing nonconforming primary structure and construct a conforming primary structure.

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APPROVE PERMIT:

Impact 5,700 sq ft to remove an existing nonconforming primary structure and construct a conforming primary structure.

With Conditions:

1. All work shall be in accordance with plans by Lepene Engineering & Surveying, LLC dated September 25, 2008 and received by the Department of Environmental Services ("DES") on September 26, 2008.
2. No more than 22.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,072 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,071.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. An initial vegetation monitoring report shall be submitted to DES by July 30, 2010 to review the success of the plantings and schedule remedial actions if necessary. This report shall be submitted to DES with photographs demonstrating the condition of the plantings, include any necessary remedial actions, and contain a schedule for completing the remedial actions. The report shall reference the Shoreland Permit number and be sent to the DES Wetlands Bureau, 29 Hazen Drive, Concord, NH 03302.
5. Proposed plantings shall have a 100% survival success rate upon post construction inspection from DES or the areas shall be replanted until the 100% success rate is achieved.
6. The proposed stormwater infiltration system shall be installed in accordance with the manufacturers specifications.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.

**2008-01689                      FOLEY, JOHN**  
**WOLFEBORO   Wentworth Lake**

Requested Action:

Impact 4,360 sq ft to construct single family dwelling, driveway, and septic system on property with approximately .33 acres on Lake Wentworth in Wolfeboro.

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APPROVE PERMIT:

Impact 4,360 sq ft to construct single family dwelling, driveway, and septic system on property with approximately .33 acres on Lake Wentworth in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 18, 2008 and received by the Department of Environmental Services ("DES") on August 21, 2008.
2. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,325 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,286.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. There shall be no disturbance to existing ground cover within the 50 ft water front buffer outside of the proposed 6 ft path to shore.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01690                      FOLEY, JOHN**  
**WOLFEBORO   Wentworth Lake**

Requested Action:

Impact 1,600 sq ft to replace an effluent disposal system and a 12 inch culvert.

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APPROVE PERMIT:

Impact 1,600 sq ft to replace an effluent disposal system and a 12 inch culvert.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 18, 2008 and received by the Department of Environmental Services ("DES") on August 21, 2008.
2. No more than 13.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 4,779 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,260.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-01704                      SUSAN WOOD REV TRUST**  
**FITZWILLIAM   Stone Pond**

Requested Action:

Impact 500 sq ft to repair foundation under existing cottage and build a proposed 3 season porch.

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APPROVE PERMIT:

Impact 500 sq ft to repair foundation under existing cottage and build a proposed 3 season porch.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design LLC and modified by Susan Wood dated May 2, 2008 and received by the Department of Environmental Services ("DES") on August 22, 2008.
2. No more than 2.56% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 60,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 30,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01759                      BERUBE, DON / GAETANNE**  
**HOOKSETT   Merrimack River**

Requested Action:

Impact 24,563 sq ft to construct a primary structure, driveway, garage and septic system.

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APPROVE PERMIT:

Impact 24,563 sq ft to construct a primary structure, driveway, garage and septic system.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated August 26, 2008 and received by the Department of Environmental Services ("DES") on August 29, 2008.
2. No more than 14.18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 11,910 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,910 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-01877                      STABILE HOMES AT MEREDITH LLC**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 3,504 to construct a proposed primary structure.

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APPROVE PERMIT:

Impact 3,504 to construct a proposed primary structure.

With Conditions:

1. All work shall be in accordance with plans by David Dolan Associates received by the Department of Environmental Services ("DES") on September 8, 2008.
2. No more than 7.07% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 15,418 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,709 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. The project as proposed shall maintain at least 50 points of trees and saplings within each 50 ft segment within the 50 ft water front buffer. If for any reason there is insufficient area for a full segment, the number of points required to be maintained in that partial segment shall be proportional to that required of a full segment.
5. No natural ground cover shall be removed within the 50 ft water front buffer except as necessary for a foot path to water as provided under RSA 483-B:9, V(a)(2)(D)(viii), cutting those portions that have grown over 3 feet in height for the purpose of providing a view, or as specifically approved by the department, pursuant to RSA 482-A or 483-B:11, II.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. There shall be no plumbed water to the structure without prior approval by the NH DES Subsurface Systems Bureau.

**2008-01965                      HAGAN, LINDA**  
**MILTON    Townhouse Pond**

Requested Action:

Impact 6250 sq ft to relocate an existing driveway and plant native vegetation to restore the footprint of the pre-existing driveway.

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APPROVE PERMIT:

Impact 6250 sq ft to relocate an existing driveway and plant native vegetation to restore the footprint of the pre-existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Lennie Foss dated May 17, 2006 and received by the Department of Environmental Services ("DES") on September 16, 2008.
2. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,850 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All vegetation planted to restore the pre-existing driveway shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-02000                      MCCULLEY, MARY ANN/RICHARD**  
**ALTON BAY    Lake Winnepesaukee**

Requested Action:

Impact 4,200 sq ft to raise an existing single family dwelling and construct a new single family dwelling.

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APPROVE PERMIT:

Impact 4,200 sq ft to raise an existing single family dwelling and construct a new single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 8, 2008 and received by the Department of Environmental Services ("DES") on September 22, 2008.
2. No more than 14.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 5,600 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,764 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit is contingent on approval by the DES Subsurface Systems Bureau.

**2008-02002                      STEBBINS, THEODORE & LUCINDA**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Impact 1,408 sq ft to resurface an existing driveway and walkway, construct a retaining wall, and restore portion of driveway to improve drainage.

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APPROVE PERMIT:

Impact 1,408 sq ft to resurface an existing driveway and walkway, construct a retaining wall, and restore portion of driveway to improve drainage.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated September 16, 2008 and received by the Department of Environmental Services ("DES") on September 22, 2008.
2. Upon completion of the project no more than 8.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 16,863 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,084 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. The project as proposed will reduce the percentage of the lot covered by impervious surfaces from 8.8% to 8.6%.

**2008-02009 MYLER, NITA**  
**MILTON Town House Pond**

Requested Action:

Impact 2,515 sq ft to replace an existing non-conforming primary structure and construct a conforming primary structure.

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APPROVE PERMIT:

Impact 2,515 sq ft to replace an existing non-conforming primary structure and construct a conforming primary structure.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated August 25, 2008 and received by the Department of Environmental Services ("DES") on September 22, 2008.
2. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 561 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit is contingent on approval by the DES Subsurface Systems Bureau.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-02010 MRNH RETREAT LLC, BRYANT MESSNER**  
**WOLFEBORO Lake Wentworth**

Requested Action:

Impact 5,444 sq ft to replace an existing storage building with a garage, expand driveway to entrance of the garage, and regrade previously altered areas to divert stormwater away from Lake Wentworth.

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APPROVE PERMIT:

Impact 5,444 sq ft to replace an existing storage building with a garage, expand driveway to entrance of the garage, and regrade previously altered areas to divert stormwater away from Lake Wentworth.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated August 30, 2008 and received by the Department of Environmental Services ("DES") on September 22, 2008.
2. No more than 27.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,700 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,619 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Four dry wells shall be installed and maintained to collect and infiltrate stormwater run-off to ensure that post-construction run-off from the lot does not exceed pre-construction run-off volumes.

**2008-02014                      BLOOM, PHILIP**  
**BRISTOL   Newfound Lake**

Requested Action:

Impact 4200 sq ft to replace an existing primary structure with a proposed primary structure.

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APPROVE PERMIT:

Impact 4200 sq ft to replace an existing primary structure with a proposed primary structure.

With Conditions:

1. All work shall be in accordance with plans by French Land Services Inc. received by the Department of Environmental Services ("DES") on September 22, 2008.
2. No more than 19.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,455 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,378.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**2008-02035                      CAREY, JAMES & LYNN**  
**BRADFORD   Lake Todd**

Requested Action:

Impact 879 sq feet to install a retaining wall and permeable terrace and replace existing stone steps.

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APPROVE PERMIT:

Impact 879 sq feet to install a retaining wall and permeable terrace and replace existing stone steps.

With Conditions:

1. All work shall be in accordance with plans by Terra Design Landscapes dated September 19, 2008 and received by the Department of Environmental Services ("DES") on September 24, 2008.
2. No more than 11.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,991 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,995.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent upon approval of a wetlands permit for impacts proposed within wetlands jurisdiction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02038                      OLSHESKIE, MARK/LISA**  
**CENTER HARBOR   Lake Waukegan**

Requested Action:

Impact 7,050 sq ft to replace an existing primary structure, construct a garage,install a parking area, and replace a septic system.

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APPROVE PERMIT:

Impact 7,050 sq ft to replace an existing primary structure, construct a garage,install a parking area, and replace a septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 17, 2008 and received by the Department of Environmental Services ("DES") on September 24, 2008.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,295 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,394.25 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. The proposed porous asphalt shall be installed and maintained in accordance with the manufacturers specifications.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.

**2008-02040                      HASELKORN, MARK/SUZANNE**  
**RINDGE   Lake Monomonac**

Requested Action:

Impact 16,642 sq ft to construct a shed and finish the landscaping and stormwater management system associated with a recently constructed single family dwelling.

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APPROVE PERMIT:

Impact 16,642 sq ft to construct a shed and finish the landscaping and stormwater management system associated with a recently constructed single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Mark Cresta revised September 22, 2008 and received by the Department of Environmental Services ("DES") on September 25, 2008.
2. No more than 22.74% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,260 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,750 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. Failure to install the stormwater management system shall be a violation of RSA 483-B.

**2008-02042                      WUNDERLICH, RICHARD/KATHLEEN**  
**PELHAM   Beaver Brook**

Requested Action:

Impact 66,306 sq ft to redevelop an existing automotive repair facility for use as retail space.

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APPROVE PERMIT:

Impact 66,306 sq ft to redevelop an existing automotive repair facility for use as retail space.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated April 4, 2008 and received by the Department of Environmental Services ("DES") on September 24, 2008.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 66,055 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 36,180 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02049                      LAWLER, DAVID**  
**ALSTEAD   Lake Warren**

Requested Action:

Impact 4400 sq ft for a temporary access road and to construct a foundation and cellar beneath an existing single family dwelling.

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APPROVE PERMIT:

Impact 4400 sq ft for a temporary access road and to construct a foundation and cellar beneath an existing single family dwelling.

With Conditions:

1. All work shall be in accordance with plans received by the Department of Environmental Services ("DES") on September 25, 2008.
2. This project shall result in no increase in impervious surfaces over the pre-existing structures as shown on the plans.
3. The project as proposed will not decrease the areas to be left in an in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. The area of the temporary access road shall be regraded to original contours and replanted with non-invasive species following completion of work.
9. All excavation spoil materials shall be placed outside of the protected shorelands.

**2008-02050                      ROESCH, FREDERICK/LINDA**  
**CANAAN   Canaan St Lake**

Requested Action:

Impact 700 sq ft to expand an existing accessory structure.

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**APPROVE PERMIT:**

Impact 700 sq ft to expand an existing accessory structure.

**With Conditions:**

1. All work shall be in accordance with plans by Don Metz dated September 21, 2008 and received by the Department of Environmental Services ("DES") on September 25, 2008.
2. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 15,205 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2008-02061                      MUSTAPHA, MAUREEN**  
**MOULTONBOROUGH   Lake Winnepesaukee**

**Requested Action:**

Impact 464 sq ft to construct a storage building.

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**APPROVE PERMIT:**

Impact 464 sq ft to construct a storage building.

**With Conditions:**

1. All work shall be in accordance with plans received by the Department of Environmental Services ("DES") on September 26, 2008.
2. No more than 2.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 10,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Photographs of the new and pre-existing structures shall be submit to File # 2008-2061 at the Wetlands Bureau upon completion of the project.

**2008-02063                      DAVIDSON, DARCY**  
**NEW DURHAM   Merrymeeting Lake**

Requested Action:

Impact 3,000 sq ft to reconfigure existing pathways, stairs, and retaining walls, replace an existing shed in kind, and replant disturbed areas with native species.

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APPROVE PERMIT:

Impact 3,000 sq ft to reconfigure existing pathways, stairs, and retaining walls, replace an existing shed in kind, and replant disturbed areas with native species.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscaping Co, Inc. dated June 6, 2008 and received by the Department of Environmental Services ("DES") on September 26, 2008.
2. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 30% of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10% of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.

With Findings:

1. Only 10% of the existing natural woodland buffer currently exists in an unaltered state. The proposed project will restore areas bringing the total unaltered areas closer to 30% of the natural woodland buffer.

**2008-02065                      WOLFEBORO, TOWN OF**  
**WOLFEBORO   Lake Wentworth**

Requested Action:

Impact 8,600 sq ft to construct a multifunction building and septic system with in a municipally owned recreational facility.

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APPROVE PERMIT:

Impact 8,600 sq ft to construct a multifunction building and septic system with in a municipally owned recreational facility.

With Conditions:

1. All work shall be in accordance with plans by Norway Plains Associates, Inc. dated August 2008 and received by the Department of Environmental Services ("DES") on September 26, 2008.
2. No more than 4.97% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 19,838 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,791.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas to remain unaltered.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. No variance or waiver is being requested to allow this project. Therefore, the concerns received by the Department from the abutter pertaining to the aesthetic impact of the project and potential for odors from the facility are not subject to consideration as part of the permitting process established under RSA 483-B.